

FILE: Minutes File

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, SEPTEMBER 9, 1980
AT 8:30 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Wilson at 8:50 a.m. The meeting was recessed by Mayor Wilson at 10:14 a.m. to reconvene at 2:00 p.m. The meeting was reconvened by Mayor Wilson at 2:27 p.m. with Councilmembers Cleator, Stirling, and Killea not present. The meeting was adjourned into Executive Session on pending litigation, 11th Floor Conference Room West by Mayor Wilson at 2:50 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Wilson-present.
(1) Councilmember Mitchell-present.
(2) Councilmember Cleator-excused by R-252679 (for vacation).
(3) Councilmember Lowery-present.
(4) Councilmember Williams-present.
(5) Councilmember Schnaubelt-present.
(6) Councilmember Gotch-present.
(7) Councilmember Stirling-excused by R-252666 (for vacation).
(8) Councilmember Killea-present.
Clerk-Mutascio (bb/ra)

Sep-9-1980 ITEM-300:

FILE: Minutes File

DESCRIPTION:

Assistant City Clerk Mutascio called the roll:

Mayor Wilson-present.
Councilmember Mitchell-present.
Councilmember Cleator-not present.
Councilmember Lowery-present.
Councilmember Williams-not present.
Councilmember Schnaubelt-not present.
Councilmember Gotch-present.
Councilmember Stirling-not present.
Councilmember Killea-present.

Sep-9-1980 * ITEM-105:

FILE: SUBD VILLA MERCED 1

DESCRIPTION:

Two Resolutions relative to the FINAL SUBDIVISION MAP of VILLA MERCED 1, a 1-

lot subdivision located northerly of Beyer Boulevard and Del Sol Boulevard:
(DISTRICT-8)

Subitem-A: (R-81-396)

APPROVING THE FINAL MAP.

Subitem-B: (R-81-397)

Authorizing the MAYOR and CITY CLERK to execute the CERTIFICATE OF OWNERSHIP on said final map, consenting to the preparation and recordation of said map.

COUNCIL ACTION: (Tape location: C253-291).

Subitem-A adopted as R-252645.

Subitem-B adopted as R-252646.

MOTION BY KILLEA TO ADOPT. Second by Lowery. Passed by the following vote:

Mitchell-yea. Cleator-not present. Lowery-yea. Williams-yea.

Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea. Mayor

Wilson-

yea.

Sep-9-1980 ITEM-151:

FILE: MEET

DESCRIPTION:

(R-81-201) Approving the RECONSTRUCTION of BALBOA STADIUM, together with related improvements; declaring that this approval is contingent upon the reconstructed stadium being utilized solely and exclusively for public park and recreation purposes.

COUNCIL ACTION:

Trailed as Unfinished Business to September 15, 1980.

Sep-9-1980 ITEM-330:

FILE: ZONE

DESCRIPTION:

Matter of REZONING property in the LA JOLLA COMMUNITY PLAN AREA, as described below, from ZONES CP, CO, CN, CS and R-1-5 to ZONE CC:

That CP, CO, CN, CS and R-1-5 ZONED properties, west of I-5 and generally bounded by Coast Boulevard on the north and Colima Street on the south.

(DISTRICT-1) (CASE-18-79-3 - City-initiated - Drawing No. C-644.1)

SUBAREA 1A consists of LOTS 1-15, BLOCK 51 and LOTS 10 and 11, BLOCK 52, LA

JOLLA PARK, MAP-352.

SUBAREA 1B consists of LOTS 1-3, BLOCK 37 and LOTS 18-23, BLOCK 55, LA JOLLA PARK, MAP-352.

SUBAREA 1C consists of LOT 1, COPLEY SUBDIVISION, MAP-5426.

SUBAREA 2A consists of LOTS 7-12, BLOCK 13; LOT 6, excluding the southerly 50 feet and the westerly 37 feet and LOT 7, excluding the southerly 50 feet, BLOCK 14, LA JOLLA PARK, MAP-352.

SUBAREA 2B consists of LOTS 17-28, BLOCK 7, LA JOLLA PARK, MAP-352 and LOTS 5-

16, BLOCK 16, CENTER ADDITION, MAP-915.

SUBAREA 3A consists of LOTS 41-44, BLOCK C; LOTS 41-44, BLOCK D, LOTS 41- 44, BLOCK E and LOTS 41-44, BLOCK F, SOUTH LA JOLLA, MAP-887; LOTS 42-45, BLOCK 1

and LOTS 8-17, BLOCK 6, LA JOLLA STRAND, MAP-1216; and LOTS 10-17, BLOCK B and LOTS 9-15, BLOCK C, STARKEY'S PROSPECT PARK, MAP-1729.

SUBAREA 3B consists of PARCEL A, BLOCK 2 and LOTS 27-31, BLOCK 5, LA JOLLA STRAND, MAP-1216.

SUBAREA 4 consists of LOTS 1 and 2, BLOCK 14, LA JOLLA HERMOSA, MAP-1810; LOTS

1-15, BLOCK 14; LOTS 1-14, BLOCK 15; LOTS 15-28, BLOCK 16; LOTS 16-30, BLOCK 17, BIRD ROCK, MAP-975; LOTS 4-6, BLOCK 2; LOTS 1-3, BLOCK 3; LOTS 1-15, BLOCK 15; LOTS 17-31, BLOCK 16 and LOTS 1-5, BLOCK 22, BIRD ROCK ADDITION, MAP-1083;

and LOTS A-E, BLOCK A, BIRD ROCK VILLAS, MAP-1563.

Subitem-A: (R-81-230)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL IMPACT REPORT EIR-76-06-25 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (O-81-27)

INTRODUCTION of an ORDINANCE for CC Zoning for SUBAREA 1A.

Subitem-C: (O-81-42)

INTRODUCTION of an ORDINANCE for CC Zoning for SUBAREA 1B.

Subitem-D: (O-81-43)

INTRODUCTION of an ORDINANCE for CC Zoning for SUBAREA 1C.

Subitem-E: (O-81-44)

INTRODUCTION of an ORDINANCE for CC Zoning for SUBAREA 2A.

Subitem-F: (O-81-45)

INTRODUCTION of an ORDINANCE for CC Zoning for SUBAREA 2B.

Subitem-G: (O-81-46)

INTRODUCTION of an ORDINANCE for CC Zoning for SUBAREA 3A.

Subitem-H: (O-81-47)

INTRODUCTION of an ORDINANCE for CC Zoning for SUBAREA 3B.

Subitem-I: (O-81-48)

INTRODUCTION of an ORDINANCE for CC Zoning for SUBAREA 4.

Subitem-J: (R-81-)

Adoption of a RESOLUTION containing the appropriate findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with ENVIRONMENTAL IMPACT REPORT EIR-79-06-25.

COUNCIL ACTION: (Tape location: A022-315).

Hearing began at 8:55 a.m. and halted at 9:19 a.m.

Testimony in favor of Subarea 1A by Ms. Abrahamson.

Subitem-A adopted as R-252642.

Subitem-B introduced, to be adopted September 22, 1980.

Subitem-C introduced, to be adopted September 22, 1980.

Subitem-D introduced, to be adopted September 22, 1980.

Subitem-E introduced, to be adopted September 22, 1980.

Subitem-F introduced, to be adopted September 22, 1980.

Subitem-G introduced, to be adopted September 22, 1980.

Subitem-H introduced, to be adopted September 22, 1980.

Subitem-I introduced, to be adopted September 22, 1980.

Subitem-J adopted as R-252643.

MOTION BY MITCHELL TO CLOSE THE HEARING, ADOPT (A) AND (J) AND INTRODUCE (B),

(C), (D), (E), (F), (G), (H) AND (I) . Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-not present. Lowery-yea.

Williams-yea.

Schnaubelt-not present. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

Sep-9-1980 ITEM-331:

FILE: MEET

DESCRIPTION:

(O-80-328) Proposal to amend Chapter X, Article 4 of the San Diego Municipal Code by ADDING DIVISION 2 relating to the LA JOLLA SPECIAL ON-PREMISES SIGN DISTRICT FOR COMMERCIAL AND INDUSTRIAL ZONES. The District is proposed to be applied to the commercially zoned property in La Jolla. As proposed, it contains two subdistricts:

a - the more pedestrian core of La Jolla, and

b - the more auto oriented commercial areas.

(DISTRICT-1)

Today's action is INTRODUCTION of an ORDINANCE amending Chapter X, Article 4 of the San Diego Municipal Code by ADDING DIVISION 2.

NOTE: Environmental Impact Report EIR-79-06-25 is being considered with CASE-18-79-3.

COUNCIL ACTION: (Tape location: A315-B433).

Hearing began at 9:19 a.m. and halted at 10:00 a.m.

Introduced, to be adopted September 22, 1980.

MOTION BY MITCHELL TO CLOSE HEARING AND INTRODUCE ORDINANCE. Second by

Killea. Passed by the following vote: Mitchell-yea. Cleator-not present.

Lowery-yea. Williams-yea. Schnaubelt-not present. Gotch-nay. Stirling-not present. Killea-yea. Mayor Wilson-yea.

Mayor Wilson and Councilmembers welcomed Dr. Alexis Sarei, Ambassador of New Guinea to the United Kingdom.

Sep-9-1980 ITEM-333:

FILE: ZONE

DESCRIPTION:

Matter of REZONING LOT 1, HUGHES TRACT NO. 1, MAP-9518 (approximately .46 acres), located on the south side of Torrance Street, west of Reynard Way, in the Uptown Community Plan area, from ZONE R-3 to ZONE R-3A. (DISTRICT-2) (CASE-5-80-009)

Subitem-A: (R-81-337)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-01-30P has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the

Council.

Subitem-B: (O-81-38)

INTRODUCTION of an ORDINANCE for R-3A Zoning.

COUNCIL ACTION: (Tape location: B454-505).

Subitem-A adopted as R-252644.

Subitem-B introduced, to be adopted September 22, 1980.

MOTION BY KILLEA TO CLOSE THE HEARING, ADOPT (A) AND INTRODUCE (B).

Second by

Gotch. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

Sep-9-1980 ITEM-334:

FILE: STRT J-2337; DEED F-385

DESCRIPTION:

(R-81-321) VACATING FERN AVENUE and portions of BEYER BOULEVARD on Resolution

of Intention No. R-252510. (DISTRICT-8)

COUNCIL ACTION: (Tape location: C253-291).

Adopted as R-252647.

Hearing began 2:47 p.m. and halted at 2:49 p.m.

MOTION BY KILLEA TO CLOSE THE HEARING AND ADOPT. Second by Lowery. Passed by

the following vote: Mitchell-yea. Cleator-not present. Lowery-yea.

Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present.

Killea-yea. Mayor Wilson-yea.

Sep-9-1980 ITEM-S500:

FILE:

Subitem-A: LEAS

Subitem-B: LEAS Chollas Gardens Ltd

DESCRIPTION:

Two Resolutions relative to a 60-UNIT LOW INCOME SENIOR CITIZENS RESIDENTIAL RENTAL COMPLEX:

Subitem-A: (R-81-381)

Authorizing the execution of an OPTION AGREEMENT with Chollas Gardens Limited (with Housing Opportunities, Inc. as its managing general partner), to

provide for the LEASE and DEVELOPMENT of a parcel of City-owned land located at 55th and College Grove Drive, with a lease term of 55 years, to be utilized for the construction and operation of the above complex, with the City to receive income in the event gross income exceeds operating expenses and a 6% rate of return on the investment of the limited partners; authorizing the execution of a LEASE AGREEMENT contingent upon satisfaction of all the terms and conditions of the Option Agreement by Chollas Gardens Limited.

Subitem-B: (R-81-382)

Certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-80-04-22 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

COUNCIL ACTION: (Tape location: C019-197).

Subitem-A adopted as R-252648.

Subitem-B adopted as R-252649.

MOTION BY WILLIAMS TO ADOPT SUBITEMS (A) AND (B). Second by Gotch. Passed by the following vote: Mitchell-yea. Cleator-not present. Lowery-yea.

Williams-yea. Schnaubelt-nay. Gotch-yea. Stirling-not present.

Killea-yea. Mayor Wilson-yea.

Sep-9-1980 ITEM-S501:

FILE: MEET

DESCRIPTION:

(R-81-443) Authorizing the City Manager to SUBMIT an APPLICATION to the CALIFORNIA ARTS COUNCIL for a grant of the City's share under the State/Local Partnership Program under the 1980/81 Guidelines; selecting COMBO as the agency which will develop and implement the ARTS PLAN for the City.

COUNCIL ACTION: (Tape location: C198-252).

Adopted as R-252650.

MOTION BY LOWERY TO ADOPT. Second by Killea. Passed by the following vote:

Mitchell-yea. Cleator-not present. Lowery-yea. Williams-yea.

Schnaubelt-nay. Gotch-yea. Stirling-not present. Killea-yea. Mayor

Wilson-

yea.

Sep-9-1980 ITEM-ES-1:

FILE: MEET

DESCRIPTION:

(R-81-441) A Resolution adopted by the City Council in Executive Session on September 9, 1980:

Authorizing settlement of claim against the City with Martin V. Barraza, Rosa R. Barraza, and Paul Barraza.

COUNCIL ACTION:

Adopted as Resolution R-252651.

Sep-9-1980 ADJOURNMENT:

FILE: Minutes File

DESCRIPTION:

MOTION BY LOWERY TO ADJOURN INTO EXECUTIVE SESSION. Second by Killea. Passed

by the following vote: Mitchell-yea. Cleator-not present. Lowery-yea.

Williams-yea. Schnaubelt-yea. Gotch-yea. Stirling-not present. Killea-yea.

Mayor Wilson-yea.

Sep-9-1980

ITEM-332:

FILE: MEET

DESCRIPTION:

Proposal to amend Chapter X, Article 1, Division 4 of the San Diego Municipal Code by AMENDING SECTIONS 101.0426 (CN ZONE) and 101.0427 (CC ZONE) to limit the definition of "Hardware Store" to read "Hardware Stores excluding the sale of used building materials, used appliances, and used plumbing supplies."

Subitem-A: (O-80-330)

Introduction of an ORDINANCE amending Section 101.0426 of the San Diego Municipal Code.

Subitem-B: (O-80-329)

INTRODUCTION of an ORDINANCE amending Section 101.0427 of the San Diego Municipal Code.

COMMITTEE ACTION:

Initiated by TRANSPORTATION AND LAND USE COMMITTEE (TLU) on 5/14/80.

Recommendation to INTRODUCE the Ordinance. Districts 2, 4, 5, 6 and 8 voted yea.

COUNCIL ACTION: (Tape location: B433-454).

Subitem-A introduced, to be adopted September 22, 1980.

Subitem-B introduced, to be adopted September 22, 1980.

MOTION BY KILLEA TO CLOSE HEARING AND INTRODUCE (A) AND (B). Second by Lowery. Passed by the following vote: Mitchell-yea. Cleator-yea.

Lowery-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.